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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/518,636	03/03/2000	Hideyuki Makitani	35.G2546	5830
5514	7590	01/12/2006	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO			POON, KING Y	
30 ROCKEFELLER PLAZA			ART UNIT	
NEW YORK, NY 10112			PAPER NUMBER	
			2624	

DATE MAILED: 01/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/518,636

Applicant(s)

MAKITANI, HIDEYUKI

Examiner

King Y. Poon

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2,6,7,15,16 and 27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,6,7,15,16 and 27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 March 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 6, 7, 15, 16, 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Otsuka (US 5,579,126) in view of Yokota (US 5,598,533) and Larson et al (US 5,825,854).

Regarding Claims 1, 6: Otsuka teaches an apparatus (PC1, fig. 1) connected to an image forming apparatuses (50, fig. 1) via a network column 3, lines 45-50), said apparatus comprising: generation means for generating an image (inherent properties of a PC); input instruction reception means (the program of the PC that receives the request of 602, fig. 9, column 11, lines 10-15) for receiving an input instruction of user management information from the selected image forming apparatus; determination means (the program logic of the PC that decodes the request) for determining whether or not the input of the user management information of the user is necessary (the PC received other message from the fax machine, therefore, the PC must determined the message is for enter user management information), in accordance with the received input instruction; input control input means (the program that accepts user input of management information of column 11, lines 10-15) for controlling the input of the user management information so as to be inputted in accordance with a the result of the

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determination by said determination means; output means (the program of the PC that transmits the entered user name to the fax machine, column 11, lines 10-16) for outputting the inputted user management information to the selected image forming apparatus; reception means (the computer program that received and decode the displayed message 606, fig. 9, column 11, lines 30-35) lines for receiving, from the selected image forming apparatus availability information for using the selected image forming apparatus based on the output of the user management information; and transmission control means (the PC program that transmitted the document filed to be printed by the fax machine, column 13, lines 12-30) for controlling transmission such that the generated image signal is transmitted to the selected image forming apparatus, in accordance with the availability information.

Otsuka does not teach the PC can be modified into an image reading apparatus.

However, Yokota in the same area of PC transmitting signal to an image forming apparatus, teaches it is well known in the art to connect a PC to a scanner to form an image reading apparatus (column 12, lines 30-37).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Otsuka to include: to connect the PC with a scanner to form an image reading apparatus such that users can easily scanned in document of picture to PC for editing or transmitting those document to a remote friend or location or to a printer to print.

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Otsuka also does not teach the PC is connected to a plurality of image forming apparatus and selecting one of the image forming apparatus to received the generated image.

However, Larson, in the same area of computer connected to image forming apparatus, teaches it is well known in the art to connect a computer to a plurality of fax machine for printing (column 3, lines 50-55, column 4, lines 40-47).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Otsuka to include: the PC is connected to a plurality of image forming apparatus and selecting one of the image forming apparatus to received the generated image.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Otsuka by the teaching of Larson because: 1) it would have allowed the system of Otsuka to operate if the fax machine is broken, such modification would benefit a large company such that the large company can continue to operate normally; and 2) it would have allowed the system of Otsuka to operate at a high speed for the PCs of Otsuka would have to wait for one fax machine.

Regarding claims 2, 7: Otsuka teaches wherein said transmission control means compresses the image signal prior to transmitting the image signal (column 8, lines 20-26).

Regarding claims 15, 16: Otsuka teaches a computer readable memory (ROM, column 4, line 8) storing a program with code for controlling the image reading apparatus discussed in claims 1, 6.

Regarding claim 27: Otsuka teaches the management information includes at least a user ID, a division ID, or a title ID for the authentication at the selected image forming apparatus (column 11, lines 10-16).

3. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Otsuka (US 5,579,126) in view of Yokota (US 5,598,533) and Larson et al (US 5,825,854). as applied to claim 1 above, and further in view of Kuo (US 5,295,181)

Regarding claim 26: Otsuka does not teaches wherein the selection means selects the image forming apparatus according to the generated image signal.

Kuo, in the same area of fax, teaches it is well known in the art that selection means selects the image forming apparatus according to the generated image signal (column 5, lines 5-20).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Otsuka's communication apparatus to include the selection means selects the image forming apparatus according to the generated image signal.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Otsuka's communication apparatus by the teaching of Kuo because: it would have allowed the system to automatically transmit images to destination, it would have reduce the work of users; and it would reduced errors through automation.

***Response to Arguments***

4. Applicant's arguments with respect to claims 1, 2, 6, 7, 15, 16, 26 and 27 have been considered but are moot in view of the new ground(s) of rejection. Please see detailed office action.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

**Conclusion**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to King Y. Poon whose telephone number is 571-272-7440. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

January 7, 2006

  
KING Y. POON  
PRIMARY EXAMINER